

LEGALINK, A MERRILL COMPANY  
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Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

 COPY

GERALD RUHNOW and CONNIE  
RUHNOW,

Plaintiffs,

vs.

LANE HEARD TRUCKING, LLC.,  
et al.,

Defendants,

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CIVIL ACTION NO. 2:05 CV 527-F

\* \* \* \* \*

VIDEOTAPED

DEPOSITION OF:

RANDALL JACKSON

DATE TAKEN:

April 1, 2006

TIME:

9:19 a.m.

PLACE:

111 North Orange Avenue  
Suite 1060

Orlando, Florida

REPORTED BY:

Jan L. O'Steen, Court Reporter  
Notary Public

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Page 27

1           A       Maybe 55, 60, maybe. I mean, he wasn't --  
2 he didn't -- he didn't like scream past me, you  
3 know. And I was doing 45 coming up the hill, so I  
4 was just gaining my speed as we topped the hill --  
5 as I topped the hill. I was just coming back up to  
6 around 55 -- to 50, and he was not pulling away from  
7 me by any stretch of the imagination. So I  
8 assume -- I mean, I don't know exactly, but I assume  
9 he was only doing about 55, maybe 60.

10          Q       So were you able to observe Mr. Duke  
11 driving before this accident for a little while?

12          A       The actual driver? I mean, did I actually  
13 see --

14          Q       Him in his vehicle before that? You --

15          A       Oh, I mean --

16          Q       You said he passed you --

17          A       Yeah. Yeah. I was in front of him.  
18 Yeah, I was in front of him as we came out of Troy.  
19 We came down a hill, which is, I guess, right by, I  
20 think it's a Wal-Mart or a Lowe's they were just  
21 building at the time. I was going faster than he  
22 was going down the hill. As we topped the first  
23 hill, he was behind me, and then there was a  
24 motorcycle in front of me -- in front of him, to the  
25 right of me. The motorcycle went past, I guess his

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Page 47

1 Q And as I understand it, you were fully  
2 loaded and were headed up a hill when he passed you,  
3 and he passed you on the right, correct?

4 A Correct.

5 Q And then after he passed you, you then  
6 moved from the left lane into the right lane?

7 A Correct.

8 Q At the time of the impact between Mr. Duke  
9 and the motorcycle, was there any vehicle, truck,  
10 car, or otherwise in the right-hand lane of the  
11 southbound portion of U.S. 231?

12 A I don't understand the question.

13 Q My understanding is the impact between  
14 Mr. Duke's truck and the motorcycle occurred in the  
15 left southbound lane.

16 A That is incorrect. I mean, it could -- I  
17 don't know. I never saw him hit the motorcycle. I  
18 don't know -- I didn't know there was a motorcycle  
19 there until the trooper told me that.

20 Q All right. Let me rephrase my question.  
21 When you saw the sparks fly, were they flying from  
22 the right-hand or left-hand southbound lane?

23 A The right-hand side. The right-hand lane.

24 Q Okay. So you think that if there was an  
25 impact between what we think was the impact between

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Page 64

1 saying anything, besides obviously she was upset and  
2 crying? But besides that, did she say anything or  
3 anything you remember?

4 A She didn't say anything to me. I mean, I  
5 wasn't that close to her. So, I mean, she wasn't  
6 close enough for me to actually speak to her.

7 Q Okay. I also need to clarify a couple of  
8 things about that little wiggle we talked about  
9 earlier. I understand that so far it's been your  
10 testimony that you were following Michael directly  
11 behind him in the right-hand lane in the southbound  
12 two lanes, and that your first indication that there  
13 was a problem was that you noticed some sparks  
14 coming from his trailer; is that correct?

15 A There were sparks that I thought were  
16 coming from the trailer, yes.

17 Q Okay. Or from his rig in general?

18 A Yes. That's correct.

19 Q And before that, you stated that you did  
20 not recall seeing any brake lights; is --

21 A I --

22 Q -- that correct?

23 A I don't remember, that's correct.

24 Q Okay. Now, in this -- where did you first  
25 see this -- this wiggle?

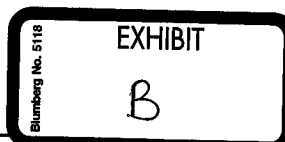
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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

GERALD RUHNOW and CONNIE	*
RUHNOW,	*
Plaintiffs,	*
	*
VS.	* NO. 2:05 CV 527-F
	*
LANE HEARD TRUCKING, LLC.,	*
et al	*
Defendants.	*

ORAL DEPOSITION OF MICHAEL ADKINS,  
a witness produced pursuant to the Federal Rules of  
Civil Procedure, in the above-styled and numbered  
cause on the 19th day of April, 2006, before Sheila  
Hanson, CSR, a Notary Public in and for the State of  
Alabama, at the law offices of Mr. Cliff Hastings  
with Cervera, Ralph & Reeves, Attorneys at Law, Troy,  
Alabama.

\* \* \* \* \*



1 foot from the dirt to the asphalt of the turning lane  
2 part.

3 Q So, how far is that from your  
4 motorcycle?

5 A Ten feet -- eight to ten feet. It was  
6 sitting in the right lane, but on the line towards  
7 the left lane, like, more or less in between both  
8 lanes.

9 Q It was perpendicular, as we said earlier,  
10 laying on its side?

11 A It was on its side.

12 Q With the tires back towards Troy?

13 A No, sir. The headlight were pointing  
14 southbound.

15 Q So, now, the headlight pointed  
16 southbound?

17 A Right.

18 Q So it's not on its side pointed towards  
19 the center of the highway and the edge of the  
20 highway. It's headed towards Dothan?

21 A Right. I could see my wheels and  
22 taillights to the left of me.

23 Q Was the taillight on?

24 A Yes, sir.

25 Q It was?

1 that a truck just hit your motorcycle?

2 A I seen right as the truck run over my  
3 bike, his right tire jacked up and turned to the  
4 left. And immediately he just went at an angle  
5 across the road. Halfway across my motorcycle blew  
6 up. And then I seen a huge explosion. I thought his  
7 truck blew up. And then six or seven small  
8 explosions took place.

9 Q Do you have a judgment, Mr. Adkins, as to  
10 how fast the truck was traveling at impact between  
11 that truck and your motorcycle?

12 MS. HAMMETT: Object to the form.

13 A 65 to 70 miles per hour.

14 Q Did you see it at all before the impact  
15 with your motorcycle?

16 A No, sir.

17 Q So you are not in a position to tell me  
18 whether or not the truck took any evasive action  
19 prior to impact?

20 A When the truck run over my motorcycle,  
21 there was no brake lights. There was a screeching --  
22 just seen the tire jacked up. He had to go where he  
23 went from there.

24 Q Did any vehicles -- strike that. After  
25 your impact with the car, and you're sitting in the

1 Q Let me back up. He saw the taillights of  
2 your motorcycle before the impact?

3 A Yes, sir. He was behind the truck. And  
4 he can see it under the truck. He was following too  
5 close, is what he told me.

6 Q What kind of car was he in?

7 A I have no idea.

8 Q But he saw your motorcycle prior to the  
9 impact between Mr. Duke and your motorcycle?

10 A Yes, sir. He said that he seen the  
11 taillights.

12 Q Were the chaps in the saddlebags?

13 A Yes, sir. After truck run over my  
14 motorcycle, the saddle bags, blew up I guess you  
15 could say, and he seen my chaps come up from under  
16 the back tires and thought --

17 Q That's when he pulled over?

18 A Yes, sir.

19 Q And he came back and told you that?

20 A Yes, sir. He come up and talked to me.

21 Q You don't know his last name?

22 A No, sir.

23 Q Do you know where he's from?

24 A Brundidge.

25 Q You seen him since the wreck?



1           A       Yes, sir.

2           Q       It had stopped misting. How would you,  
3 Mr. Adkins, describe the visibility out there on the  
4 evening when all of this occurred?

5           A       Excellent.

6           MR. SPARROW: I think that's all I have right  
7 now. Thank you.

8           THE WITNESS: Yes, sir.

9                       CROSS EXAMINATION

10          BY MR. FREEMAN:

11           Q       Mr. Adkins, I am Mac Freeman. I  
12 represent Christy Champion. How long have you been  
13 driving a motorcycle?

14           A       Since '75.

15           Q       '75?

16           A       1975.

17           Q       How long had you had this particular  
18 bike?

19           A       Little over a year.

20           Q       Did you buy it new?

21           A       Yes, sir.

22           Q       And how much does that bike weigh?

23           A       508 pounds.

24           Q       Have you ever been in a motorcycle wreck  
25 before?

1           Q       You said it was about a hundred yards  
2 away?

3           A       Right. About 450 feet from the top of  
4 the hill to where the impact was; so maybe 300  
5 feet.

6           Q       All right. So you saw her about 300  
7 feet -- the first time you were about 300 feet away  
8 from the first time you saw her?

9           A       Yes, sir.

10          Q       You are saying after you saw her, from  
11 that point, you are saying it was about another 150  
12 feet from where the impact occurred?

13          A       Yes, sir.

14          Q       And you said that she had stopped in the  
15 middle lane?

16          A       Yes, sir.

17          Q       And you were traveling first in the left  
18 lane?

19          A       Yes, sir.

20          Q       How far away from you was her car when  
21 you moved from the left lane to the right lane?

22          A       Maybe 50 or 60 feet.

23          Q       You were traveling, what did you say?

24          A       50, 55.

25          Q       Then you moved in the right lane. She is

1 Q Okay. And when you got up, did you look  
2 at the bike?

3 A No, sir.

4 Q You just looked directly at Ms. Champion?

5 A I looked to the side of the grassy hill.  
6 And I wanted to get off at road before any traffic  
7 came down.

8 Q So you looked back up the road, and you  
9 didn't see any traffic?

10 A No, sir.

11 Q There was no vehicles?

12 A No, sir.

13 Q What about vehicles, if you remember, or  
14 notice any cars northbound?

15 A I didn't see any at that time.

16 Q And you at least looked up one time  
17 before you -- as you were getting off the road? --

18 A Yes, sir.

19 Q -- to talk to Ms. Champion?

20 A Yes, sir.

21 Q You saw no vehicles coming?

22 A Yes, sir. That I could see.

23 Q How far from where you were standing to  
24 go the crest of that hill, is back up to the road?

25 A About 450 feet.

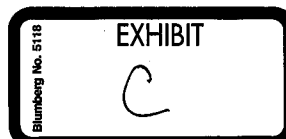
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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
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GERALD RUHNOW and CONNIE           \*  
RUHNOW,                               \*  
Plaintiffs,                         \*  
                                      \*  
VS.                                 \* NO. 2:05 CV 527-F  
                                      \*  
LANE HEARD TRUCKING, LLC.,       \*  
et al                                \*  
Defendants.                         \*

ORAL DEPOSITION OF MS. CHRISTY CHAMPION,  
a witness produced pursuant to the Federal Rules of  
Civil Procedure, in the above-styled and numbered  
cause on the 19th day of April, 2006, before Sheila  
Hanson, CSR, a Notary Public in and for the State of  
Alabama, at the law offices of Mr. Cliff Hastings  
with Cervera, Ralph & Reeves, Attorneys at Law, Troy,  
Alabama.

\* \* \* \* \*



1 Q When you first saw the motorcycle --  
2 you've drawn, it was fully in the lane?

3 A Yes, sir.

4 Q Basically in the middle of the lane where  
5 you were traveling?

6 A Yes, sir.

7 Q Then there is an impact, you now know,  
8 between the motorcycle and your car? Correct?

9 A Yes.

10 Q You realize that when you look in your  
11 mirror?

12 A Yes.

13 Q What happened to the driver? Do you see  
14 what happened to Mr. Adkins after the impact?

15 A I'm -- I keep looking in my rear-view  
16 mirror. And he was still on the motorcycle. And  
17 then I seen the motorcycle go down onto the  
18 roadway.

19 Q And Mr. Adkins, along with it, I guess?

20 A Yes, sir.

21 Q What did you do at that time?

22 A I moved my vehicle over into this turn  
23 lane. And his motorcycle was still right here.

24 Q And you've drawn a line in the right-hand  
25 southbound lane?

1 A Uh-huh.

2 Q And it's all perpendicular to the road?  
3 Is that the way it was lying?

4 A Yes, sir.

5 Q Which direction was the front wheel of  
6 the motorcycle pointing?

7 A The wheels would be pointing back this  
8 way.

9 Q The two little circles below the line  
10 would indicate the wheels?

11 A Yes, sir.

12 Q Was it lying in the middle of the lane,  
13 as you are showing it there? Or was it towards the  
14 right-hand edge? Or towards the middle?

15 A It was just like that.

16 Q All right. I'm looking, and I just want  
17 to get it clear. Because I want to make sure we are  
18 all on the same page. I'm looking at the  
19 interrogatory answer to number 6. And it states that  
20 the motorcycle was on the edge of the right-hand  
21 lane. Tell me what you mean by that?

22 A Meaning that the back wheel was closer to  
23 the edge of roadway.

24 Q That's what I'm trying to figure out.  
25 The back wheel was closer to the right-hand side of

1 and glanced up. And there is a hill --

2 Q Some distance back towards Troy, there  
3 was a hill that dropped down?

4 A Yes. That you could come up. And it  
5 just basically -- it don't just go back down like  
6 this. It just kind of levels back out. Do you see  
7 what I'm saying?

8 Q Yes. Where you are?

9 A Yes, sir, where this is at.

10 Q "This" being the wreck scene?

11 A Right.

12 Q Okay. And I said: Oh, my God. There  
13 comes a diesel truck.

14 He turns and looks and --

15 Q Looks towards Troy, towards the truck?

16 A Uh-huh. And he sees the truck coming.  
17 And as soon as the truck runs over the motorcycle, he  
18 throws his hands up and says: Oh, well, I have -- I  
19 have full-coverage insurance.

20 (Court reporter asked her to repeat).

21 THE WITNESS: He throws his hands up and says:

22 "Oh, well, I have full coverage  
23 insurance.

24 Q We will get back to that. How long were  
25 you standing there, saying whatever was said between

1 the two of you, before you saw a truck come into your  
2 vision heading south?

3 A I would say about a minute.

4 Q Not long?

5 A No, sir.

6 Q When you pulled your car over, did you  
7 leave your lights on?

8 A Yes, sir.

9 Q Was your right blinker still blinking --

10 A No, sir.

11 Q -- as it had been from the turn lane into  
12 the next lane?

13 A No, sir.

14 Q So the blinker was not blinking --

15 A No, sir, not whenever he came -- when I'd  
16 stopped.

17 Q -- when you had stopped? Were your  
18 taillights still on?

19 A Yes, sir.

20 Q Headlights still on?

21 A Yes, sir.

22 Q And all of which worked?

23 A Right.

24 Q How about the motorcycle? Was the light  
25 that you had seen, at or before, immediately after



**LEGALINK, A MERRILL COMPANY**  
**Court Reporting \* Legal Videography \* Trial Services**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CIVIL ACTION FILE NO. 2:05CV527-F

GERALD RUHNOW and  
CONNIE RUHNOW,

Plaintiffs,

 **COPY**

vs.

LANE HEARD TRUCKING, LLC, et al,

Defendants

DEPOSITION OF:

ARNOLD G. RICHARDSON

TAKEN AT THE INSTANCE:

Defendant Lane Heard Trucking

DATE:

Thursday, April 13, 2006

TIME:

Commenced at 11:06 a.m.

Concluded at 11:52 a.m.

LOCATION:

225 North Broad Street

Thomasville, Georgia

REPORTED BY:

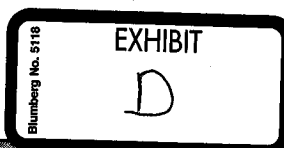
LORI DEZELL

Registered Professional Reporter

Georgia Certified Court Reporter

VIDEOTAPED BY:

BARBARA GRAVES



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Page 12

1           A       That's correct. It was very dark and you could  
2 not see it. The motorcycle apparently was a black or a  
3 very dark color. And I only saw it when I was just close  
4 enough that the lights kind of caught it. Probably 20,  
5 30 feet at the most in front of me.

6           Q       And so were you in the right lane or the left  
7 lane?

8           A       I was in the left lane at that point.

9           Q       And the motorcycle was lying in the right-hand  
10 lane?

11          A       It was laying in the right-hand lane almost to  
12 the center, almost to the center line.

13          Q       Do you know why the motorcycle was lying in the  
14 road?

15          A       No, I don't. I didn't at the time. A policeman  
16 told me later that he had had an accident, run into a car,  
17 but I didn't see that at all.

18          Q       Did you observe anyone around the motorcycle?

19          A       As I passed, I caught in the corner of my eye, it  
20 looked like two figures moving towards the side of the road  
21 probably ten feet from the motorcycle. But it was just a  
22 glimpse. And I think there were two figures there, but  
23 that's as much as I could tell.

24          Q       So it was your testimony, I believe, and correct  
25 me if I'm wrong, that you had just gotten into the

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Page 28

1 your wife who brought the -- brought your attention to the  
2 motorcycle; is that correct?

3 A We both saw it I think at the same time and she  
4 just said, "What was that?" And I said, "Well, that's a  
5 motorcycle in the road."

6 Q Okay. So you both -- you both saw it  
7 simultaneously?

8 MS. HAMMETT: Object to the form.

9 A Pretty much so.

10 Q I'm sorry?

11 MS. HAMMETT: I objected to the form. It's just  
12 speculation.

13 Q Okay. Well -- okay.

14 MS. HAMMETT: He doesn't know what his wife --

15 MR. GARRETT: -- if you could. I'm sorry, I  
16 didn't hear that. Can you repeat that?

17 MS. HAMMETT: Can everyone hear? Is everyone --  
18 can everyone hear? This is Katie.

19 MR. SPARROW: I can now, yes. You're going in  
20 and out.

21 MS. HAMMETT: Okay. Can we read back the last  
22 question?

23 BY MR. GARRETT:

24 Q I'll just ask it again. My question was, did you  
25 and your wife first see the motorcycle simultaneously or at